

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

JUL 05 2005
JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

UNITED STATES OF AMERICA,

CRIMINAL CASE No. 3:05-CR-00011

v.

ORDER

JERRY RILEY MILLS,

Defendant.

JUDGE NORMAN K. MOON

Pursuant to 28 U.S.C. § 636 and upon Defendant's consent, this case was referred to United States Magistrate Judge B. Waugh Crigler to conduct a plea hearing. No objections have been filed to Judge Crigler's Report and Recommendation, which was filed on June 13, 2005. Upon review of the Report and Recommendation, the Court finds that the guilty plea hearing was conducted in accordance with the requirements of Federal Rule of Criminal Procedure 11, that Defendant is fully competent and capable of entering an informed plea, and that his plea of guilty is a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense. Accordingly, the Court ADOPTS the Report and Recommendation and ACCEPTS Defendant's plea of guilty to Count One of the indictment and adjudges Defendant guilty of that offense. The Court DISMISSES Counts Seven and Eight of the Indictment against Defendant. The Court further DIRECTS that a presentence report be prepared and ORDERS that acceptance of the plea agreement is deferred until after the presentence report has been submitted to the Court.

The Clerk of the Court is directed to send a certified copy of this Order to all counsel of record.

ENTER: 
U.S. District Court Judge

DATE: 